

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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PRECIOUS SCOTT,

Plaintiff,

19 **CIVIL** 1105 (DF)

-against-

JUDGMENT

COMMISSIONER OF SOCIAL SECURITY,
Defendant.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons set forth in the Court's Memorandum and Order dated March 27, 2020, Plaintiff's motion for judgment on the pleadings is granted, and Defendant's cross-motion for judgment is denied; the case is hereby remanded for further proceeding, pursuant to sentence four of 42 U.S.C. §405(g); judgment is entered in Plaintiff's favor; accordingly, the case is closed.

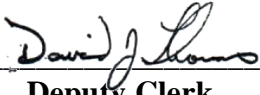
Upon remand the ALJ is directed as follows;

- (1) With respect to the Medical Source Statement completed by Singer and co-signed by Dr. Polycarpe;
 - (a) to treat the Statement as representing the opinion of Dr. Polycarpe;
 - (b) to consider Dr. Polycarpe to have been Plaintiff's treating physician;
 - (c) to give Dr. Polycarpe's opinion controlling weight, or articulate good reasons for not doing so, in accordance with the treating physician rule; and
 - (d) to reconsider his determinations regarding Plaintiff's functional capacity (as both a child and an adult) in light of Dr. Polycarpe's opinion; and
- (2) With respect, in particular, to the determination of Plaintiff's functional capacity as a child, to revise his analysis by considering all relevant

evidence from both medical and educational sources, as discussed in the Memorandum and Order.

Dated: New York, New York
March 29, 2020

RUBY J. KRAJICK

BY: 
Clerk of Court
Deputy Clerk